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BEFORE THE ARIZONA CORPORATION COMMISSION

KRISTIN K. MAYES
ChairmanGARY PIERCE
CommissionerPAUL NEWMAN
CommissionerSANDRA D. KENNEDY
CommissionerBOB STUMP
Commissioner

Arizona Corporation Commission

DOCKETED

APR 14 2010

DOCKETED BY

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IN THE MATTER OF ARIZONA PUBLIC
SERVICE COMPANY APPLICATION FOR
AUTHORIZATION TO SELL PATENT
RIGHTS AND RELATED INTELLECTUAL
PROPERTY RIGHTS

DOCKET NO. E-01345A-09-0357

DECISION NO. 71629ORDEROpen Meeting
March 31 and April 1, 2010
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Arizona Public Service Company ("APS") is engaged in providing electric service within portions of Arizona, pursuant to authority granted by the Arizona Corporation Commission ("Commission"). In 1985, APS began operation of the APS Star Center. The APS Star Center is an innovation center and solar plant where APS works with manufactures, universities and government laboratories to develop and test emerging technologies that are applicable to APS' business.

2. On July 14, 2009, APS filed an Application for authorization to sell patent rights and related intellectual property rights. APS has developed two types of tracking systems and has patented the tracking system technologies. APS seeks authorization to sell the patent rights to an unaffiliated third party with a significant domestic and international presence with the ability to market this technological development.

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5. Staff believes it is not necessary to determine jurisdiction regarding the patent rights and intellectual property rights of APS at this time in order to proceed with affording APS the authorization to sell such rights.

7. Staff recommends, however that the Commission specify in its Order that the future ratemaking treatment of this transaction should be determined in future rate cases as appropriate.

1. Arizona Public Service Company is a public service corporation within the meaning of Article XV, Section 2, of the Arizona Constitution.

3. The Commission, having reviewed the Application and Staff's Memorandum dated 16, 2010, concludes that it is in the public interest to approve APS' request for authorization to sell patent rights and related intellectual property rights as described in the Application.

IT IS THEREFORE ORDERED that the Authorization for Arizona Public Service Company to sell patent rights and related intellectual property rights as described in its Application are hereby approved as discussed herein.

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1 IT IS FURTHER ORDERED that the future ratemaking treatment of this transaction
2 should be determined in future Arizona Public Service Company rate cases as appropriate.

3 IT IS FURTHER ORDERED that this Order shall become effective immediately.

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5 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

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7 CHAIRMAN

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9 COMMISSIONER

10 COMMISSIONER

11 COMMISSIONER

12 COMMISSIONER

13 IN WITNESS WHEREOF, I, ERNEST G. JOHNSON,
14 Executive Director of the Arizona Corporation Commission,
15 have hereunto, set my hand and caused the official seal of this
16 Commission to be affixed at the Capitol, in the City of Phoenix,
17 this 14th day of April, 2010.

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19 ERNEST G. JOHNSON
20 EXECUTIVE DIRECTOR

21 DISSENT: _____

22 DISSENT: _____

23 EGJ:KS:lhM\MAS
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SERVICE LIST FOR: Arizona Public Service Company
DOCKET NO. E-01345A-09-0357

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